

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Vishakapatnam District – Withdrawal of Prosecution against the accused persons in Cr.No. 99/2005 of Gangavaram Port Police Station, under sections 147, 148, 448 and 427, read with 149 of the Indian Penal Code, 1860 pending before the III Additional Chief Metropolitan Magistrate Court, Gajuwaka, Vishakapatnam vide CC.No.540/05 - Orders – Issued.

LAW (LA & J.HOME COURTS.B) DEPARTMENT

G.O.Rt.No. 809

Dated:24-04 -2013,
Read the following:

1. Representation from Sri Chintalapudi Venkata Ramaiah, M.L.A. Gajuwaka, dated 28-1-2010.
2. Government Memo No.882/Courts.B2/2010-1 dated 15-2- 2010.
3. From the Collector & District Magistrate, Vishakapatnam Lr.No. 3/2009/SO, dated 30-3-2010.
4. From The Commissioner of Police, Vishakapatnam City Lr.CSB No.388/XI/2009 dt 04-02-2012 and 22-3-2010
5. From The Commissioner of Police, Vishakapatnam City Lr.CSB No.104/S3/IV/2010 dt 30-06-2012

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ORDER:

In the representation 1st read above, Sri Chintalapudi Venkata Ramaiah, M.L.A. Gajuwaka, while forwarding the copies of tripartite agreement reached between the leaders of the Fishermen and the District Collectore, Commissioner of Police and Vice Chairman of Gangavaram Port have requested the Government to withdraw the cases filed on Fishermen during the Gangavaram Port agitation in the year 2005.

2. In the letter 3rd read above, the Collector & District Magistrate, Vishakapatnam has informed that during the tripartite agreement and the minutes of the meeting held with the Hon'ble Minister/Chief Minister, among other things, it was agreed to provide relief and rehabilitation to the fishermen community and also to withdraw the criminal cases booked against the following accused persons in Cr.No. 99/2005 of Gangavaram Port Police Station, under sections 147, 148, 448 and 427, read with 149 of the Indian Penal Code, 1860 pending before the III Additional Chief Metropolitan Magistrate Court, Gajuwaka, Vishakapatnam vide CC.No.540/05.

S/Sri:

1. Chodipalli Raju (A1)
2. Palleti Dhanaraju (A2),
3. Kambala Somudu (A3)

3. The Government after careful examination of the matter, taking into consideration the orders passed by the Hon'ble High Court of Andhra Pradesh in W.Ps.No.18902/2008 and 3936,15220,1625,17150,17442, 17955, 18451, 20618, 20757, 20767 and 22105 of 2009, Dated:29.12.2009 and also keeping in view the recommendations made in the Third Report of the Committee on Petitions (2010-2011) have decided to withdraw prosecution against the accused persons mentioned at Para (2) above, in Cr.No. 99/2005 of Gangavaram Port Police Station, under sections 147, 148, 448 and 427, read with 149 of the Indian Penal Code, 1860 pending before the III Additional Chief Metropolitan Magistrate Court, Gajuwaka, Vishakapatnam vide CC.No.540/05;

4. The Collector and District Magistrate, Vishakapatnam District is direct to instruct the Assistant Public Prosecutor concerned to file a petition under section 321 of the Code of Criminal Procedure, 1973 (Act II of 1974) for withdrawal of the prosecution and guidelines issued in G.O. Ms.No.54, LAW (LA&J - Home Courts -B)

(P.T.O),

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Department, Dated:30.03.2000, against the accused persons mentioned at Para (2) above, in Cr.No. 99/2005 of Gangavaram Port Police Station, under sections 147, 148, 448 and 427, read with 149 of the Indian Penal Code, 1860 pending before the III Additional Chief Metropolitan Magistrate Court, Gajuwaka, Vishakapatnam vide CC.No.540/05 under intimation to the Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R. DAMODAR,
SECRETARY TO GOVERNMENT,
LEGISLATIVE AFFAIRS AND JUSTICE (FAC).

To:

The Collector & District Magistrate, Vishakapatnam District

The Director General of Police, Andhra Pradesh, Hyderabad.

The Superintendent of Police, Vishakapatnam District

The Assistant Public Prosecutor concerned (through the Collector concerned).

SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER.